

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STEPHEN TORRES, as Personal Representative
for CHRISTOPHER TORRES, deceased.

Plaintiff,

v.

No. 12: CV-01048-RB/KBM

CITY OF ALBUQUERQUE, ex. rel ALBUQUERQUE
POLICE DEPARTMENT,

Defendant.

**DEFENDANT'S FIRST REQUEST TO ENTER UPON
LAND FOR INSPECTION AND OTHER PURPOSES**

TO: Stephen Torres, as Personal Representative for Christopher Torres
c/o Randi McGinn
Kathleen J. Love
Tyler J. Atkins
McGinn Carpenter, Montoya & Love P.A.
201 Broadway Blvd, SE
Albuquerque, NM 87102

COMES NOW the Defendant, City of Albuquerque, ex. rel Albuquerque Police Department, by and through its attorney of record, Butt Thornton & Baehr PC, (W. Ann Maggiore), and pursuant to FED. R. CIV. P. 34(a)(2), requests that the Plaintiff, Stephen Torres allow entry upon his property located at 7605 Sunrose Dr. NW, Albuquerque, New Mexico, for inspection and other purposes within thirty (30) days following receipt of service hereof, to be conducted at a reasonable time.

REQUEST

Defendant hereby gives notice that its attorneys and their agents shall inspect, measure, survey, photograph, test, videotape, and perform sound experiments of the following locations:

- 1) The yard of 7605 Sunrose Dr. NW, Albuquerque, New Mexico, 87120.

2) The yard and the rear doorway of 7608 Primrose Dr. NW, Albuquerque, New Mexico, 87120, which is adjacent to 7605 Sunrose Dr. NW, Albuquerque, New Mexico.

Respectfully submitted,

BUTT, THORNTON & BAEHR, P.C.

By: /s/ W. Ann Maggiore
W. Ann Maggiore
Attorneys for City Defendant
P.O. Box 3170
Albuquerque, NM 87190
(505) 884-0777
(505) 889-8870
wamaggiore@btblaw.com

I HEREBY CERTIFY that on the 10th day of October, 2013, I filed the foregoing electronically through the CM/ECF system, which caused the following counsel to be served by electronic means, as more fully reflected on the Notice of Electronic filing:

Randi McGinn, Esq.
McGinn, Carpenter, Montoya & Love, P.A.
201 Broadway Blvd., SE
Albuquerque, NM 87102
randi@mcginnlaw.com

Luis E. Robles, Esq.
Robles Rael & Anaya, PC
500 Marquette Ave NW #700
Albuquerque, NM 87102-5346
luis@roblesrael.com

Thomas Mack, Esq.
Miller Stratvert, PA
500 Marquette Ave, NW, #1100
Albuquerque, NM 87125-0687
tmack@mstlaw.com

/s/ W. Ann Maggiore
W. Ann Maggiore